

AMENDMENT Continued
Serial No. 09/709,758



RECEIVED

JUL 23 2004

Technology Center 2600

REMARKS/ARGUMENTS

Claims 33-41 are pending. Originally filed claims 1-32 have been cancelled in favor of the newly substituted claims. These new claims refer to the multiple elements disposed on different planes and the ability to switch elements on and off depending on the desired direction of antenna gain as disclosed on page 14 of the specification in regard to FIG. 8. None of the art of record appears to show or suggest such features. Moreover, the multi-planar configuration of antenna elements relates to Applicant's issued U.S. Patent No. 6,486,832 and should therefore be allowable for the reasons recited in the prosecution of that patent.

An early allowance of claims 33-41 is therefore solicited.

Respectfully submitted,

Leonard Tachner

Attorney for the Applicant(s)

Registration No. 26,344

Dated: 7/15/04

LT/jf

(949) 752-8525 Telephone

(949) 955-2415 Telefax

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Services as First Class mail in an envelope addressed to:
MAIL STOP PATENT EXT
COMMISSIONER FOR PATENTS
U.S. PATENT AND TRADEMARK OFFICE
P.O. Box 1450
Alexandria, Virginia 22313-1450

On July 15, 2004 (date)

LEONARD TACHNER, Registered Prop.

(Signature)